

REMARKS

Claims 1-8 are pending in this application, and claims 9-16 are withdrawn from consideration. By this Amendment, claims 1-6 are amended for form. Thus, no new matter is added.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Wills in both November 15, 2007 and November 30, 2007 telephone interviews. Applicant's separate record of the substance of the interview is incorporated into the following remarks. Specifically, claims 3-6 are amended to comply with the Examiner's helpful suggestions made during the interview.

I. Section 112 Rejection of Claims 2-8

Claims 2-8 are rejected under 35 U.S.C. §112, second paragraph. By this Amendment, Claims 2-6 are amended to comply with the requirements under 35 U.S.C. §112, second paragraph.

Applicant respectfully asserts that claims 7 and 8 satisfy all requirements under §112, second paragraph, in their original form.

For at least these reasons, withdrawal of the rejection is respectfully requested.

II. The Claims Define Patentable Subject Matter

A. Section 103 Rejection of Claims 1-8 Over Mitsuru

Claims 1-8 are rejected under 35 U.S.C. §103(a) over Japanese Patent Application Publication No. 2002-313403 to Mitsuru et al. ("Mitsuru"). The rejection is respectfully traversed.

Mitsuru does not teach or suggest every feature of claims 1-8. Mitsuru does not disclose "a judgment unit for judging whether or not water is accumulated in the water trap based on a pressure variation measured by the pressure measurement unit when the discharge valve is open," as recited in amended independent claim 1. The Office Action asserts that

Mitsuru discloses "[a] pressure measurement unit 16, 17 detects the pressure of the fuel gas in the exhaust port of the tank." The Office Action further asserts that paragraph [0016] of Mitsuru discloses a judgment unit that judges whether the water level in the reservoir detected by the sensor is more than a predetermined threshold. These assertions are respectfully traversed.

As agreed during the telephone interview, Mitsuru discloses that the sensor 16 is used to detect water level instead of pressure. Further, sensors 17 and 18 of Mitsuru are used to determine a differential pressure ΔP and are used to judge whether or not the open air may mix through exhaust port 14 (see Mitsuru, paragraph [0023]). Mitsuru does not disclose "a judgment unit for judging whether or not water is accumulated in the water trap based on a pressure variation measured by the pressure measurement unit when the discharge valve is open," as recited in independent claim 1. According to this feature, the judging whether or not water is accumulated in the water trap can be done regardless of the quantity of accumulated water (see specification, paragraphs [0007], [0049] and [0050]).


Thus, for at least these reasons and the agreement reached during the telephone interview, independent claim 1 is patentable over Mitsuru. Further, claims 2-8 depend from independent claim 1, and are also patentable over Mitsuru for at least the reasons discussed above with respect to independent claim 1, as well as for additional features they recite. Withdrawal of the rejection is thus respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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